

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

CANDACE ISAACSON, also known as
CANDACE ADAMS,

Plaintiff,

v.

MICHAEL ASTRUE, Commissioner of the
Social Security Administration,

Defendant.

Case No. C09-1251-RAJ

**ORDER REMANDING CASE
PURSUANT TO SENTENCE OF
42 U.S.C. § 405(g)**

The Court, after careful consideration of plaintiff's complaint, the Commissioner's motion to remand (Dkt. 15), the Report and Recommendation of the Honorable Brian A. Tsuchida, United States Magistrate Judge, and the balance of the record, does hereby find and **ORDER:**

- (1) The Court adopts the Report and Recommendation.
- (2) The Commissioner's motion to remand (Dkt.15) is **GRANTED**.
- (3) This case is **REMANDED** to the Social Security Administration for further administrative proceedings. On remand, the Appeals Council shall attempt to locate the missing claim file. Additionally, counsel for the Commissioner shall forward to the Appeals Council any case documents received from plaintiff's former attorney. The Appeals Council shall then determine if the file is complete. If the file is complete, the Appeals Council shall prepare a certified administrative

1 record. If the file cannot be located or the Appeals Council determines that the file
2 is not complete, the Appeals Council shall remand the case to an administrative law
3 judge for a de novo hearing.

4 (4) The Appeals Council shall have **90 days** from the date this Order is signed to either
5 prepare a certified administrative record or remand the case to an administrative
6 law judge for a de novo hearing.

7 (5) This Court will retain jurisdiction over the case. If the outcome of a de novo
8 hearing is unfavorable to plaintiff, she may seek judicial review by reinstating this
9 case, rather than filing a new complaint.

10 (6) The Clerk is directed to send copies of this Order to the parties and to Judge
11 Tsuchida.

12 DATED this 21st day of June, 2010.

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16 The Honorable Richard A. Jones
17 United States District Judge
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